

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

23-CR-99-JJM-LJV

HOWARD HINKLE JR. a/k/a Hard How

Defendant.

SUPPLEMENTAL PROTECTIVE ORDER

In response to Defendant Hinkle's request for a redacted version of the sealed search warrant affidavit in support of search warrants 23-mj-5213-01, 23-mj-5213-02, 23-mj-5213-03, 23-mj-5213-04, and 23-mj-5213-05, and upon reviewing an affidavit of standing provided by Defendant Hinkle, the government intends to voluntarily produce a redacted version of the sealed search warrant affidavit in support of search warrants 23-mj-5213-01, 23-mj-5213-02, 23-mj-5213-03, 23-mj-5213-04, and 23-mj-5213-05. The government has requested a Supplemental Protective Order limiting the review of this material to "attorney's eyes-only" on the grounds that information contained therein could jeopardize the safety of cooperating witnesses if it is shown to the defendant, and to respect the privacy and dignity of the victim. This protective order is intended to supplement the existing (but less-restrictive) general protective order¹. This order only pertains to Defendant Hinkle and only pertains to the sealed search warrant affidavit in support of search warrants 23-mj-5213-01, 23-mj-5213-02, 23-mj-5213-03, 23-mj-5213-04, and 23-mj-5213-05. Defendant Hinkle, through his attorneys

¹ Doc. No. 293, signed by the Honorable Lawrence J. Vilardo on November 7, 2024.

Dan Henry Esq., and Frank Bogulski, Esq., consents to the imposition of this Supplemental Protective Order.

NOW, upon agreement of the parties, it is hereby

ORDERED, that the material set forth above shall be used by counsels for Defendant Hinkle and interns, clerks, investigators, or expert witnesses, solely in connection with pretrial, trial or other proceedings in this action, including any appeals, shall not be disclosed to the public, and shall not be disclosed to third parties by counsel or the defendant, and shall not be shown to, shared with, or provided to Defendant Hinkle, any co-defendant, or any co-defendant's attorney(s); and it is further

ORDERED, that the unauthorized copying, dissemination, and/or posting of copies, or the contents, of the above material on the internet or through any form of social media, or through any other means, shall constitute a violation of the terms of this order; and it is further

ORDERED, that counsels for the defendants or the defendants may apply to the Court for an order specifically permitting public disclosure of the above-mentioned material; and it is further

ORDERED, that at the conclusion of the litigation of this action, including any direct appeal, counsels for the defendants and the defendants shall return all copies of the above-mentioned material to the government immediately upon request of the government, or

certify to the government that such material has been destroyed.

DATED: Buffalo, New York, February 4, 2025.



HONORABLE JEREMIAH J. MCCARTHY
United States Magistrate Judge